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TOWN OF BROOKHAVEN  
LOCAL DEVELOPMENT CORPORATION

- - - - -x

BOARD MEETING  
HELD BY ZOOM VIDEOCONFERENCE

- - - - -x

March 24, 2021  
10:03 a.m.

TRANSCRIPT OF PROCEEDINGS

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A P P E A R A N C E S :

**MEMBERS :**

FREDERICK C. BRAUN, III  
MARTIN CALLAHAN  
FELIX J. GRUCCI, JR.  
ANN-MARIE SCHEIDT  
FRANK C. TROTTA

**ALSO PRESENT :**

LISA M.G. MULLIGAN, CHIEF EXECUTIVE OFFICER  
LORI J. LaPONTE, CHIEF FINANCIAL OFFICER  
JAMES M. TULLO, DEPUTY DIRECTOR  
JOCELYN LINSE, EXECUTIVE ASSISTANT  
TERRI ALKON, ADMINISTRATIVE ASSISTANT  
AMY ILLARDO, ADMINISTRATIVE ASSISTANT  
ANNETTE EADERESTO, ESQ., AGENCY COUNSEL  
WILLIAM F. WEIR, ESQ., NIXON PEABODY  
HOWARD R. GROSS, ESQ.,  
WEINBERG GROSS & PERGAMENT, LLP

\* \* \*

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MR. BRAUN: All right everyone. It is  
10:03. It is Wednesday, March 24th. We have  
with us Mr. Callahan, Mr. Grucci, Mr. Trotta,  
Mr. Braun; a quorum is present.

5

6

MS. MULLIGAN: Thank you.

7

8

MR. BRAUN: First our minutes of our  
meeting of February 10th. A motion to accept  
those, please.

9

10

MR. TROTTA: Motion.

11

MR. GRUCCI: So moved.

12

MR. BRAUN: Any questions or comments?

13

(No response.)

14

MR. BRAUN: Hearing none, on the vote,  
Mr. Callahan?

15

16

MR. CALLAHAN: Yes.

17

MR. BRAUN: Mr. Grucci?

18

MR. GRUCCI: Yes.

19

MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

21

MR. BRAUN: Mr. Braun votes yes.

22

Motion carries.

23

And our March 10th audit committee  
minutes. Motion, please.

24

25

MR. GRUCCI: So moved.

1

2

MR. CALLAHAN: So moved.

3

MR. BRAUN: On the vote, Mr. Callahan?

4

MR. CALLAHAN: Yes.

5

MR. BRAUN: Mr. Grucci?

6

MR. GRUCCI: Yes.

7

MR. BRAUN: Mr. Trotta?

8

MR. TROTTA: Yes.

9

MR. BRAUN: Mr. Braun votes yes.

10

Motion carries.

11

Lori, I'll turn it over to you for the

12

CFO's report.

13

MS. LaPONTE: Okay.

14

Included in your packages is the profit

15

and loss statement versus budget for the month

16

of January --

17

MS. MULLIGAN: Lori, do you want me to

18

try sharing that screen and putting that up?

19

MS. LaPONTE: Sure, if you can.

20

MS. MULLIGAN: Okay.

21

MS. LaPONTE: Better than looking at

22

me.

23

MS. MULLIGAN: We'll still see you,

24

Lor.

25

MS. LaPONTE: I thought that was my

1

2

out.

3

4

5

6

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9

10

11

Anyway, so the profit and loss statement for the LDC for the month of January, the only activity that we had as far as revenue goes was our annual admin fees for the projects, that was generated 5,000. There were no other activity, just we paid a portion of our website every month and that was it.

MS. MULLIGAN: Did I do it right, can you guys see this?

12

13

14

MS. LaPONTE: Yes, I can. I can.

Any questions on the report for the month of January?

15

16

17

MR. TROTTA: Is everything on track, is everything in a normal state as far as where --

18

19

20

MS. LaPONTE: It looks like my -- no, it is, it's on track. I mean this is what we expected.

21

22

23

24

25

MR. TROTTA: Thank you.

MS. LaPONTE: You're welcome.

MR. BRAUN: If there are no further questions, I'll entertain a motion to accept the report.

1

2

MR. TROTTA: Motion.

3

MR. BRAUN: Second?

4

MR. GRUCCI: Second.

5

MR. BRAUN: Thank you.

6

Mr. Callahan?

7

MR. CALLAHAN: Yes.

8

MR. BRAUN: Mr. Grucci?

9

MR. GRUCCI: Yes.

10

MR. BRAUN: Mr. Trotta?

11

MR. TROTTA: Yes.

12

MR. BRAUN: Mr. Braun votes yes. The

13

motion carries.

14

Lori, you want to talk about audit or

15

PARIS?

16

MS. LaPONTE: Correct.

17

First I'm going to review with you the

18

audit.

19

The audit committee had met on

20

March 10th with the external auditors, PKF and

21

those notes are included in your package. So

22

I'll go through with you quickly the

23

financials and I did also want to point out

24

one small adjustment in the minutes and when I

25

get there I'll explain, it's something that

1

2

the partner had mentioned a number and he

3

twisted it, but it was transcribed correctly,

4

but it was twisted. It's nothing significant,

5

I'll mention it in a few seconds.

6

So the first few pages are the opinion,

7

our opinion. It's a clean opinion starting on

8

page one and then the next few pages is just

9

an overall of the results and then starting on

10

page seven is our financial statements.

11

This is our turnaround period for the

12

LDC, so for all the times when we weren't sure

13

how we would be in a sustainable fashion to be

14

there at the end of the projects because we

15

had no revenue and no significant cash to talk

16

about, we needed our cash to pay our normal

17

insurance, our audited required statements and

18

other items.

19

Now this year in 2020 we actually had

20

two project closings that push us over the

21

edge, so I do want to point out cash last

22

year, 12/31/2019, was 282,180 and that's from

23

the auditor's report.

24

The item I mentioned earlier was in

25

their minutes, they mentioned cash last year

1

2

was 328,000. What, in fact, the 328 was

3

alluding to was the change in cash, but again,

4

it is exactly how he presented it, it was just

5

a miss on the numbers when he presented it.

6

Does anybody have any questions on

7

that?

8

MR. GRUCCI: Just one quick question,

9

Lori and you might have said this a moment

10

ago, but I think I missed it.

11

What caused our cash to double from

12

last year to this year?

13

MS. LaPONTE: Sure.

14

We had two project closings during

15

2020. We had Jefferson's Ferry and also Long

16

Island Community Hospital. One was 160 and

17

one was 175,000. They closed, one last

18

October 30th and one November 12th.

19

MR. GRUCCI: Okay. And we ended the

20

year of 2020 with actual 614,000 cash on hand?

21

MS. LaPONTE: Cash on hand was 610,336,

22

if you could see up top.

23

MR. GRUCCI: Okay.

24

MS. LaPONTE: Right. So our fund

25

balance was a net 614.

1

2

MR. GRUCCI: Got it. Okay.

3

4

MS. LaPONTE: So close, I just wanted to be clear on that.

5

6

MR. GRUCCI: Good year. In spite of everything, was a good year.

7

8

9

10

MR. TROTTA: I wanted to go back to what you originally said on the 310 or -- could you explain that because I don't quite understand it, the discrepancy?

11

12

MS. MULLIGAN: Just, Frank, basically what happened is the --

13

14

15

MS. LaPONTE: Oh, the minutes, do you want to open the minutes, Lisa, it's on page three, line 22 in the minutes?

16

17

MS. MULLIGAN: Sure.

MR. BRAUN: It's also on page eight.

18

19

MS. MULLIGAN: Since I'm in this document, maybe this will work. Page eight.

20

MS. LaPONTE: Sure.

21

MS. MULLIGAN: Okay.

22

23

24

25

So, Frank, when the partner was giving his presentation, he just misspoke, he said one number when he should have looked at the other one and he just said the wrong number,

1

2 but it's in the audit committee minutes, so we  
3 just didn't want anyone to go back and look at  
4 those and then look at the audit and say this  
5 doesn't make sense.

6 MR. TROTTA: I understand now.

7 MS. MULLIGAN: We'll give him a pass,  
8 he's allowed to make a mistake.

9 MR. TROTTA: Thank you.

10 MS. MULLIGAN: You're welcome.

11 MS. LaPONTE: Any other questions?

12 (No response.)

13 MS. LaPONTE: So going on with the  
14 financial statement, so again, on page nine is  
15 the change in your cash flows for the year and  
16 again, this is where you can see that change  
17 in cash was 328, not the balance in cash as it  
18 was misspoke in the minutes and then the rest  
19 of the report are the standard financial  
20 statements. There's nothing new, nothing  
21 significant that I need to point out to you,  
22 but certainly if you have any questions, I've  
23 gone through these a number of drafts, so has  
24 Lisa and so has Fred, so we beat them up, you  
25 know, pretty thoroughly.

1

2

The last pages in the report are pages  
17 and 18, is a required opinion that we get  
because we're subject to a government standard  
audit and it also is a clean opinion.

6

7

Right now these reports, as you can  
see, are in draft format till they've accepted  
by the board.

8

9

Are there any questions?

10

(No response.)

11

MR. BRAUN: If there are no questions,  
I will entertain a motion to accept the report  
and so we can submit this financial statement  
as part of our PARIS reporting.

12

13

14

15

MR. CALLAHAN: So moved.

16

MR. BRAUN: Is there a second?

17

MR. GRUCCI: Second.

18

MR. BRAUN: On the vote, Mr. Callahan?

19

MR. CALLAHAN: Yes.

20

MR. BRAUN: Mr. Grucci?

21

MR. GRUCCI: Yes.

22

MR. BRAUN: Mr. Trotta?

23

MR. TROTTA: Yes.

24

MR. BRAUN: Mr. Braun votes yes.

25

Motion carries.

1

2

I'll make one other comment.

3

4

Felix and I were on another Zoom call yesterday with an accounting firm and one of the things they mentioned -- well, let me back up.

5

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MS. LaPONTE: I, too, have seen that, Fred, this year.

20

21

22

The next item I wanted to review with you is a draft of the PARIS reports.

23

24

25

MS. MULLIGAN: You want the annual report first?

MS. LaPONTE: Sure.

MS. MULLIGAN: Okay. I'm going to

1

2 share my screen again because I'm getting very  
3 proficient at this.

4

MS. LaPONTE: Thank you, Lisa.

5

6

MS. MULLIGAN: It's like two clicks,  
it's not really anything that impressive.

7

8

9

MS. LaPONTE: So included in the  
packages is a draft copy of our annual PARIS  
report.

10

11

12

13

14

15

16

17

18

The LDC report, don't let it be  
deceiving, it's only 24 pages, wait till we  
get to the IDA, but anyway I wanted to point  
out the PARIS report has been completed, it  
has been reviewed. It still needs to be  
updated to incorporate copies of the final  
issued financial statements now that they've  
been accepted and once this is all done, it's  
an electronic submission.

19

20

21

22

It typically is due March 31st. There  
was an extension granted to another 60 days  
and our goal is to get this done timely and  
not need that extension.

23

24

25

I'll go through just the -- I have like  
a cheat sheet explaining each area, it's not  
in your package because I figured it's just

1

2 easier to do this.

3

4

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8

The first couple of pages just talk about the annual -- the governance of the organization. The next couple of pages starting on two, four and on down talk about staff and benefits currently. There is no staff or benefits at the IDA.

9

MS. MULLIGAN: LDC.

10

11

MS. LaPONTE: Sorry, LDC; thank you, Lisa.

12

13

14

15

Starting in section 2.8 is where we list out our projects, that's on page -- I apologize, Lisa, I should have told you what page it is.

16

MS. MULLIGAN: That's okay.

17

18

19

20

21

MS. LaPONTE: And that is just a summary of the debt and where the balances are, we've confirmed all that debt independently and the last page is just our annual submittal when it's all done.

22

23

24

25

There is another section in PARIS, so this is one filing. There's another section in PARIS, which is also included in your packages, which is a --

1

2

MS. MULLIGAN: Lori, I'm sorry, before I switch to it, did anyone want to see anything else; I know you have it in your packets; did you have any questions on this part before I switch my screen again?

7

8

MR. GRUCCI: Not a question, just a request.

9

10

11

If the -- when you bring up the next one, if it's the same kind of typeset, could you just enlarge it a little bit for me?

12

MS. MULLIGAN: Yes, I think I can.

13

14

MR. GRUCCI: Yeah, you hit that plus button, there you go.

15

MR. CALLAHAN: There we go.

16

17

18

MS. MULLIGAN: You mean you want to be able to see it, too? Okay, sorry. I can't see it myself. Okay.

19

Now go to the next one, Lori?

20

MS. LaPONTE: Yes.

21

The next is the procurement report.

22

This is another report within PARIS that is

23

due the same time frame and pretty much what

24

it does is the first page is a summary of

25

our -- if we have policies, which, in fact, we

1

2

do and then the next page is a summary of any expenditures over a certain threshold, which would be one, was our insurance. There were no other expenditures that would fall into a required procurement transaction listing.

7

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There are two other sections within the PARIS report which are not presented here because PARIS makes it so smooth, is one section is just called certified financial audit and I can't print that section or even try to print that section because I have to embed the financial audit in order to present the report, so alls -- it's a one-liner pretty much just stating that. The other section is the investment report; again, it's a one-liner and we just include the investment report, which was part of the audit. We don't have investments, but we're still required to do an investment audit report.

21

Are there any questions?

22

(No response.)

23

24

MR. BRAUN: Lori, you need a motion to be able to submit this to PARIS, correct?

25

MS. LaPONTE: Absolutely.

1

2

MR. GRUCCI: Motion made.

3

MR. BRAUN: Second?

4

MR. CALLAHAN: Second.

5

6

MR. BRAUN: Are there any questions on the PARIS material? Some of it is confusing, some of it, once you put it into PARIS it's tough to get it back out, but it is what it is.

7

8

9

10

(No response.)

11

12

MR. BRAUN: If there are no questions, on the vote, Mr. Callahan?

13

MR. CALLAHAN: Yes.

14

MR. BRAUN: Mr. Grucci?

15

MR. GRUCCI: Yes.

16

MR. BRAUN: Mr. Trotta?

17

MR. TROTTA: Yes.

18

MR. BRAUN: Mr. Braun votes yes.

19

Motion carries. Thank you.

20

21

MS. LaPONTE: I wanted to mention one other thing, we had discussed this previously.

22

23

24

25

New York State OSC is starting a review of the LDC, Lisa and I had an initial conversation with the people and they're going to start submitting document requests to us on

1

2 April 1st, as I explained to them that this is  
3 not the time to start another audit while we  
4 trying to wrap up two significant ones; they  
5 understood that.

6 Lisa, I don't know if you want to add  
7 anything about the conversation we had with  
8 them.

9 (Ann-Marie Scheidt joined.)

10 MS. MULLIGAN: It was an initial  
11 conversation, so I think it just really  
12 started the ball rolling. The one thing that  
13 they did tell us, which is I think is  
14 pertinent, is that the audit period will be  
15 from January 1st of 2020 to March 31st of  
16 2021, but we've asked them to give us  
17 everything in writing so that we have  
18 everything defined and everything organized  
19 and everything sort of laid out for us, but  
20 that was the only piece that I felt was a  
21 tangible -- the rest of it was how they do the  
22 audit.

23 You should also be aware that they have  
24 told us that they intend to interview some of  
25 our board members, but we'll -- I expect that

1

2 we'll have more information come April 1st.

3

4 There is information that we can share,  
5 if anybody is interested, on sort of a general  
6 overview of how their audits work. Basically  
7 it starts out with risk assessment, which  
8 they're doing right now and then there's the  
9 field work, which is sort of the bulk of the  
10 audit and then it ends with the summary of  
11 findings and the written report. But they  
12 have a website that sort of details that; if  
13 anybody's curious about it we can share it,  
14 but really it's the -- right now that they're  
15 gathering all the information, it's just  
16 begun, but that's all I have, Lori.

16

MS. LaPONTE: Thank you, Lisa.

17

MR. BRAUN: Good morning, Ms. Scheidt.

18

19

MS. SCHEIDT: Good morning, Dr. Braun,  
it's good to see you.

20

MR. BRAUN: Thank you.

21

22

Lori, you have a banking resolution  
that we need to look at?

23

MS. LaPONTE: Sure.

24

25

Included in your package is resolution  
12-2021, which discusses the change about

1

2

Flushing Bank not being able to monitor the

3

second signatures on our checks, so it's a

4

control purpose -- it's a control procedure

5

for us, the bank won't monitor it, one

6

signature and done. It's kind of -- Flushing

7

said we're not the first one that's asked them

8

to do it, but they can't. It also just

9

discussed about the difference in the

10

approvals during the COVID time.

11

MR. GRUCCI: Lori, how much do we have

12

in Flushing?

13

MS. LaPONTE: Right now about 610, with

14

the LDC.

15

MR. GRUCCI: Fred, do you think it

16

makes sense to move to a bank that would

17

verify the second signature?

18

MR. BRAUN: I think for the moment

19

we've got so much on our plate. I mean the

20

officer that handled our account, was

21

responsible for our account, at Empire is now

22

at another bank, he'd very much like to talk

23

to us and we probably will talk to him when

24

things calm down a little bit.

25

MS. MULLIGAN: I asked him to reach

1

2

back out in April.

3

4

5

6

7

8

9

MR. BRAUN: I've often wondered, all the years that I was at the bank when we had two signatures required above a certain level, whether the operations people really were able to pick that up or they just spotted it from time to time and then kicked it out as an irregularity.

10

11

12

We'll have that ongoing discussion, yes, but for the moment, I don't think we should be making a change.

13

14

15

16

17

18

19

20

21

22

MS. MULLIGAN: I can tell everyone that I signed a check kind of on my lap recently, my signature was not as crisp as it might usually be and they caught it and they called me and said we wanted to make sure that was -- they sent an email to make sure that it was, in fact, a check that I wanted signed and it was below the threshold, it was only supposed to have one signature on it, but they did notice that my signature was a little bit off.

23

MR. GRUCCI: What is our threshold?

24

MS. LaPONTE: Five thousand.

25

MS. MULLIGAN: Five thousand.

1

2

MR. GRUCCI: Five thousand?

3

MS. LaPONTE: Yes.

4

5

MR. BRAUN: You know, Felix, to your point, they're going to have to keep a record of the emails supporting that second signature and from time to time, the audit committee can certainly take a look at that list and do some internal investigation if it wants.

6

7

8

9

10

MR. GRUCCI: Okay. I'm okay with what you just explained.

11

12

MR. BRAUN: I need a motion to accept that resolution then.

13

14

MR. GRUCCI: So moved.

15

MS. SCHEIDT: So moved.

16

MR. BRAUN: Second Ann-Marie.

17

On the vote, Mr. Callahan?

18

MR. CALLAHAN: Yes.

19

MR. BRAUN: Mr. Grucci?

20

MR. GRUCCI: Yes.

21

MR. BRAUN: Ms. Scheidt?

22

MS. SCHEIDT: Yes.

23

MR. BRAUN: Mr. Trotta?

24

MR. TROTTA: Yes.

25

MR. BRAUN: Mr. Braun votes yes.

1

2

Motion carries.

3

Lisa, to you.

4

MS. MULLIGAN: Sure.

5

6

So if you recall at our last meeting,  
we -- in the IDA -- we didn't have an LDC

7

meeting when we had the last IDA meeting, so

8

we set up a procurement officer for the IDA,

9

so we need to do that with the LDC, also.

10

My suggestion is that I am the

11

procurement officer for the LDC, so I guess I

12

need a motion or discussion.

13

MR. BRAUN: Any questions?

14

(No response.)

15

MR. BRAUN: Motion to appoint Lisa as

16

the procurement officer.

17

MR. TROTTA: Motion.

18

MS. SCHEIDT: Second.

19

MR. BRAUN: On the vote, Mr. Callahan?

20

MR. CALLAHAN: Yes.

21

MR. BRAUN: Mr. Grucci?

22

MR. GRUCCI: Yes.

23

MR. BRAUN: Ms. Scheidt?

24

MS. SCHEIDT: Yes.

25

MR. BRAUN: Mr. Trotta?

1

2

MR. TROTTA: Yes.

3

MR. BRAUN: Mr. Braun votes yes.

4

Motion carries.

5

MS. MULLIGAN: Okay and the same thing

6

for the LDC, we need an ethics officer and I

7

suggest that we make Lori the ethics officer

8

for the LDC.

9

MR. BRAUN: Motion to that effect,

10

please.

11

MR. CALLAHAN: So moved.

12

MS. SCHEIDT: Second.

13

MR. BRAUN: On the vote, Mr. Callahan?

14

MR. CALLAHAN: Yes.

15

MR. BRAUN: Mr. Grucci?

16

MR. GRUCCI: Yes.

17

MR. BRAUN: Ms. Scheidt?

18

MS. SCHEIDT: Yes.

19

MR. BRAUN: Mr. Trotta?

20

MR. TROTTA: Yes.

21

MR. BRAUN: Mr. Braun votes yes. That

22

motion carries.

23

MS. MULLIGAN: The next item on the

24

agenda is the board assessments.

25

So along with PARIS, this time of year

1

2

we're required to send not each of your board

3

assessments, but the overview of the results

4

to the ABO, so I wanted to make sure that you

5

had a chance to review the results prior to us

6

sending them to the ABO. They were included

7

in your packet, but if you'd like, I can share

8

my screen so you see the synthesis of them.

9

MR. BRAUN: I have reviewed all of

10

them, I've tabulated those numbers. I prefer

11

to wait till Gary is with us at the next

12

meeting to discuss some of those, many of

13

which are repeat comments, mostly about

14

community, from prior years, but I'd like a

15

motion to accept this report so it could be

16

filed and then we'll discuss it more at the

17

next meeting.

18

MR. GRUCCI: So moved.

19

MR. BRAUN: Second?

20

MR. TROTTA: Second.

21

MR. BRAUN: Thank you.

22

Mr. Callahan?

23

MR. CALLAHAN: Yes.

24

MR. BRAUN: Mr. Grucci?

25

MR. GRUCCI: Yes.

1

2

MR. BRAUN: Ms. Scheidt?

3

MS. SCHEIDT: Yes.

4

MR. BRAUN: Mr. Trotta?

5

MR. TROTTA: Yes.

6

7

MR. BRAUN: Mr. Braun votes yes. That motion carries.

8

9

10

MS. MULLIGAN: Okay. Thank you. I'll send those over to the ABO and I will put it on for our April meeting to go over.

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The next item on the agenda is -- oh, these are just some reminders. Don't forget that your ethics forms are due; I'm not sure if everyone has sent them in yet, but, Joce, maybe we'll send a reminder to anyone who hasn't sent them in yet.

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Anyone having issues setting up that email address, please let me know; if I can't help you, I can definitely get you in touch with Jason at the Town, who can help you.

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MR. GRUCCI: I'll probably be reaching out to you within the next day or so because I was having some difficulty trying to figure it out.

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MR. BRAUN: As will I, Felix, you're

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2 not the only one.

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MR. CALLAHAN: Felix, that guy, Jason,  
is really good.

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MR. GRUCCI: Is he, good?

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MR. CALLAHAN: Yup. Yup, yup, yup,  
yup.

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MR. GRUCCI: He has to really dumb down  
his responses if I'm going to work with him.

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MS. MULLIGAN: Felix, he's used to  
working with me.

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MR. CALLAHAN: He was good. He was  
good.

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MS. SCHEIDT: I had a lot of trouble  
with that and then all of a sudden it worked  
and I wish I knew why it worked so that I  
could tell you, but I have no idea.

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MS. MULLIGAN: That's always my  
experience, surprise.

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MR. GRUCCI: Just for clarification,  
Lori, what do we use that email address for?

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MS. LaPONTE: That was the email  
address that the New York State OSC, when they  
were starting the LDC audit, wanted everyone's  
private emails to send them some

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questionnaires and we said that we're not going to do that, so we set up business emails for you.

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MR. CALLAHAN: Did we get any private questionnaires?

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MS. LaPONTE: For you to tell us, I guess.

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MR. CALLAHAN: Oh, I'm sorry.

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MS. LaPONTE: I don't know if they've been sent, but they were very much asking me that every day.

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MS. MULLIGAN: Yeah.

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MR. CALLAHAN: Really?

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MS. LaPONTE: Yeah.

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MR. TROTTA: I haven't checked mine in the last couple of days, so . . .

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MR. CALLAHAN: Nothing on my end.

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MS. LaPONTE: I guess they just wanted to see if I would do it.

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MR. CALLAHAN: That could be. That could be.

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MS. MULLIGAN: So, Felix, let us know if we can help you with the emails.

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The only --

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MR. GRUCCI: I will.

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MS. MULLIGAN: Thank you.

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The only other item on the agenda is job creation and Joce sent the job creation information out this morning. I'm going to just share my screen because I think it's easiest just to put it up for everybody rather than you have running through your emails to try and find it. Hold on.

So this is a little bit redundant because we just went through basically all of this information in PARIS, but just want to make sure that we specifically look at the job numbers for our projects.

So these are the six LDC projects that we have. Just be aware that IGHL, Independent Group Home Living, terminated with us in 2020, but since they were in our books in 2020, we still have to report them in PARIS, so we still get this information together so that we have it and this one isn't as clean the last one, but -- for the IDA's documents, but basically what you're looking at is the 2020, how many jobs they created, we're missing a

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little bit of information in some spots, but

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we're still working on gathering that up.

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PARIS doesn't require that we put jobs

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into it, but we still want to make sure that

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we're doing the full monitoring that we should

be doing.

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So most of the LDC projects are more

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focused on -- less focused on job creation,

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job retention is a little more important for

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the LDC, but we just wanted to make sure that

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you had this information and that you had a

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chance to review it since it isn't presented

in PARIS like it is for the IDA projects.

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So I know that I'm sort of moving

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around, I can't -- Felix, I don't think I'm

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going to be able to get this to all go on my

screen at once.

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MR. GRUCCI: Yeah, that's okay.

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MS. MULLIGAN: Does anyone have any

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questions?

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MR. GRUCCI: The question that I have

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would be due to the pandemic, is there some

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kind of -- let me restate that.

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In the past when there wasn't a

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pandemic, if they didn't meet their numbers

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that they suggested that they were going to

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meet, there was a discussion about clawback.

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In light of the pandemic when people

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aren't meeting their anticipated job creation

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numbers, is there some kind of extension or

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modification that we're doing on our end so

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that we're not in the process of clawing back

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our grants as a result of the pandemic?

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MR. BRAUN: Felix, I would say this,

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that we're still receiving some of the

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year-end information, it pertains more to the

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IDA's, but receiving additional information

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and we will take a look at that. You know,

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we've gotten used to the 85 percent of

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projected jobs as a kind of a bar. We will

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look at that again, bring it back to the

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board, I'm sure there will be some where

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they're below with letters of explanation and

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I think we have to take into account COVID and

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its effects on some of these businesses before

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we get aggressive and seek to claw back some

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of those benefits.

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MR. GRUCCI: I agree. That was why I

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asked the question. I don't think we should penalize people if they legitimately got hurt by the pandemic.

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MR. BRAUN: Agreed.

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MS. MULLIGAN: Unless Bill disagrees, I don't think that we would claw back our LDC projects for not making their job creation because in our closing documents there aren't requirements for that.

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MR. WEIR: Well, just for a point of clarification, the LDC bond documents do not have clawbacks in them, they're not required, do not have them and we're really doing those only for not-for-profits, it's a little bit different. The IDA documents are required to have clawbacks and they do have clawbacks in there, but again, there is in our IDA standard recapture provisions, we have a provision for if there's economic reasons beyond the control of the company, we include pandemics in there (inaudible) for job creation making sure they have the right number of jobs because I mean look what happened last year and continuing this year, completely beyond anybody's

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control. Nobody in their right mind, you

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know, at the beginning of 2020 thought there

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would be a pandemic that would shut the

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economy down and with government orders for

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people to stay home, so I think for most of

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our industries, unless they just totally leave

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Long Island and consolidate elsewhere, we

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probably -- that'll probably be one of the

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carveouts for not having recapture.

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MR. GRUCCI: Bill, is that a

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discretionary decision that the board can make

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or are we bound by the letter of the --

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MR. WEIR: Well, the contract has the

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provisions in it, but again, there will be

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some discretion by the board as to how we

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interpret those provisions and I think it's as

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Fred said, we need more information, it's

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starting to come in, but what the impact has

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been overall generally and specifically for

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each project.

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You know, I've got one in Islip where

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they had two facilities, they were booming

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before and then they lost about 70 percent of

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their business, they're in the aerospace

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2 industry, make products for airlines and so  
3 they're consolidating from two facilities to  
4 one and then they're asking the IDA board  
5 permission to sell the other facility and  
6 somebody's going to come and take that over,  
7 so there the Islip IDA was very much concerned  
8 about making sure they're keeping as many jobs  
9 as they could in one facility as opposed to  
10 two and then actually bringing in somebody in  
11 the other building. End of the day they  
12 probably will have more jobs in Islip because  
13 the board is being proactive, the first  
14 company's actually going to shut the --  
15 decided because Islip was so helpful, they're  
16 shutting down their California operations and  
17 moving all those jobs in California to Long  
18 Island, so --

19 MS. MULLIGAN: That's awesome.

20 MR. WEIR: Yeah, so -- but again,  
21 though, they came in quite worried and sat  
22 down with the IDA and said, you know,  
23 explained the whole situation and the IDA  
24 (inaudible) how can we help you as opposed to  
25 oh, we have to ding you for a recapture, so .

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. . .

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MR. GRUCCI: Yeah, that's great.

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MR. WEIR: I think -- yeah, you guys clearly have that discretion and I think, you know, if any time there was a need to exercise discretion, it's certainly during this unprecedented pandemic, you know. It's certainly nothing any of us have seen in our lifetimes.

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MR. GRUCCI: Thanks, Bill.

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MR. BRAUN: Do we have questions on job creation?

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(No response.)

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MR. BRAUN: Lisa, anything else?

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MS. MULLIGAN: I don't have anything else.

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MR. BRAUN: Any of the board members or attorneys have anything else for the LDC?

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MS. MULLIGAN: Bill, they don't need to accept or adopt or do anything formal with those job creation numbers, do they, that's just FYI?

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MR. WEIR: Yeah, it's just FYI.

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MS. MULLIGAN: Okay.

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MR. BRAUN: I'll take a motion to  
adjourn the LDC meeting.

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MR. TROTTA: Motion.

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MS. SCHEIDT: So moved. Second.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: Mr. Grucci?

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MR. GRUCCI: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Braun votes yes.

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Our meeting is concluded.

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(Time noted: 10:37 a.m.)

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I, JOANN O'LOUGHLIN, a Notary Public

21

for and within the State of New York, do hereby

22

certify that the above is a correct transcription

23

of my stenographic notes.

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JOANN O'LOUGHLIN